

the final rejection of the 06/13/05 Office Action is withdrawn and the statement of allowable claims 5-16 is withdrawn in view of Applicant's response and newly referenced prior art.

Examiner has rejected claims 5-6, and 12-13 under 35 U.S.C. 102 (e) as being anticipated by U.S. Patent No. 6,441,8549 to Fellegara et al. ("Fellegara"). Fellegara discloses a hybrid camera that includes both a digital imaging system and a silver-halide imaging system. The digital imaging system produces a working image corresponding to the last captured image. The working image is displayed on a display screen when a quick review signal is entered by the camera operator and not displayed after a period of time or when the quick review signal is discontinued. Fellegara allows the camera to be coupled to an external host computer 232 via a data communication port 136 and an external cable or wireless device. See col. 20, lines 48-57; col. 7, lines 40-47; FIG. 19.

Considering claim 5, as now amended, it is clear that the requirement that the integral interface connector adapted to be coupled to an external computer without an intervening cable is not taught by Fellegara. Moreover, since Fellegara discloses a camera device, Fellegara does not disclose a computing device disclosed in the housing that performs operations directed by an applications program. Therefore, since a §102 rejection requires that each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference (MPEP §2131) and since at least two elements of amended claim 5, as set forth above, are not found in Fellegara, the §102 rejection is not proper.

Claims 6 - 8, dependent upon a believed allowable claim 5, are believed allowable.

Claim 12 has now been rewritten with the limitations of claims 13 and 14 in accordance with Examiner's statements regarding the allowability of claim 14 and is now believed allowable.

Examiner has rejected claims 2-3, 9, and 16 under 35 U.S.C. 103(a) as being unpatentable over Fellegara in view of European Patent No. EP 0 978 987 to Dow et al. ("Dow"). Dow discloses a capturing appliance for capturing and viewing images through digital scanning, or the like, and communicating the images to other devices. To this end, Dow discloses an image send/transmit button 26. See col. 5, lines 44-51 and

FIG. 1A. Applicant's claim 5 requires a dual function to the first electromechanical activator and claim 2 further expands the description of one of the functions as storing the image representation in the external computer. Dow does not disclose such a dual function. Therefore, claim 2 is believed to be allowable as dependent upon an allowable claim 5 and claims 3, 9, and 16 are believed to be allowable as dependent upon allowable base claims.

Examiner has rejected claims 10-11 under 35 U.S.C. 103(a) as being unpatentable over the Eyemode User Manual and the Eyecontact Quick Guide. Examiner suggests that the element "launching an application program...unrelated to image capture" is disclosed on page 2 of the Eyemode User Manual as the second round button from the left. Applicant cannot determine the function of the designated button from the reference and respectfully requests additional and determinative information about the designated button. Additionally, the Eyemode camera is an independent and separate apparatus that "Turn[s] your Handspring™ Visor™ handheld into a digital camera" (Cover page, Eyemode User Manual). Note that the first step on page 2 of the manual the Eyemode is inserted into the expansion slot of the Springboard. Therefore, the optoelectric transducer is not disposed in a housing of the device, as required in claim 10, rather it is part of an additional, plug-in device with its own separate housing. For these reasons, the references cited against claim 10 have not been shown to meet a *prima facie* case of obviousness. Claim 11 is dependent upon a believed allowable claim 10, therefore claim 11 is believed allowable.

Examiner has stated that claims 7-8 and 14-15 would be allowable if rewritten in independent form including all of the limitations of the base and any intervening claims. Applicant has rewritten claims 7 and 8 as new claims 17 and 18, in which all of the limitations of claim 5 have been included in independent claim 17. Applicant has rewritten claim 12 to include all of the limitations of claims 13 and 14.

Therefore, in view of the foregoing amendment and remarks, Applicant now believes all of the remaining claims of the present Application for patent to be suitable for allowance. Examiner is respectfully requested to withdraw the rejections of the claims of the present application and pass the amended application to allowance.

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